

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
CHARLES V. VACCARO,

Plaintiff,

Index No. 07 CV 6793

-against-

THE BANK OF NEW YORK COMPANY, INC.,

Defendant.
----- X

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

CARROL MARSHALL, being duly sworn, deposes and says: that she resides at Elmsford, New York; that she is over the age of twenty-one years and that she is not a party to this proceeding.

That on the 3rd day of August 2007, deponent caused to be served by hand the **VERIFIED ANSWER**, by leaving a true copy thereof with the following party:

Rosario Devito, Esq.
THE LAW OFFICES OF PAUL GIACOMO, JR.
Chrysler Bldg., 405 Lexington Ave., 37th Fl
New York, NY 10174

which is the address designated by said attorneys for that purpose.

/S/ CARROL MARSHALL
Carrol Marshall

Sworn to before me this
3rd day of August 2007

/S/NA'EEM CONWAY
Notary Public